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September 3, 2014

BY ECF AND EMAIL

Hon. Katherine B. Forrest
United States District Court
Southern District of New York
500 Pearl Street, Room 1950
New York, NY 10007
ForrestNYSDCChambers@nysd.uscourts.gov

USDC SDNY
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Re: Flushing Bank v. Green Dot Corp. & Green Dot Bank, No. 13-cv-9120 (KBF) (AJP)

Dear Judge Forrest:

We represent Defendants and Counterclaimants (collectively, "Green Dot") in the above-referenced matter, and write on behalf of both Green Dot and Plaintiff and Counterdefendant Flushing Bank. The parties respectfully request a one-week adjournment of the September 8, 2014 deadline for summary judgment motions, until September 15. In light of discovery in this matter, the parties are discussing whether to seek a "Trial on the Papers/Summary Bench Trial" pursuant to Fed. R. Civ. P. 52(a). The parties expect to resolve those discussions no later than tomorrow, and should the parties agree to request a Trial on the Papers subject to Your Honor's approval, the parties will write to Your Honor with a proposed schedule no later than Friday, September 5. Should the parties not agree to a Trial on the Papers, or the Court rejects the parties' proposal, the parties will proceed with the September 15 deadline for dispositive motions.

The September 8 deadline was not previously adjourned, and this is the only deadline that the parties seek to adjourn. The parties do not seek to adjourn the October 6 and October 13 deadlines for oppositions and replies.

Green Dot and Flushing Bank thank Your Honor for your time and consideration.

Respectfully submitted,


Adam Siegartel

cc: Counsel for Flushing Bank (by ECF and email)

Oral
Application granted.

← B. Forrest
USDC

9/3/14